

Application No.10/715,243  
Letter of Response dated 10/08/04  
Reply to Office Action of 10/04/2004

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1-20 are pending in this case.

With regard to the requirement for election and restriction, Applicants hereby provisionally elect Group I, consisting of claims 1-15, drawn to a device, but with traverse.

The Examiner has argued that the claimed method can be practiced by another materially different apparatus or by hand because the method can be used on land vehicles.

It is not understood how the method can be used on land vehicles, or why this would prove that the claimed method can be practiced by a materially different apparatus or by hand. The burden is on the Examiner to document another materially different apparatus or withdraw the requirement.

Applicants respectfully submit that the Examiner has not met his burden of proving that the process and apparatus as claimed are distinct under the criteria of MPEP 806.05(e). Groups I and II should, therefore, be prosecuted in this application.

Respectfully submitted,  
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